

Message Text

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ACTION SS-25

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S E C R E T NICOSIA 1465

EXDIS

FOR COUNSELOR NIMETZ, ASSISTANT SECRETARY EUR, M/CT
EUR/SE LEDSKY

E.O. 11652: GDS
TAGS: PFOR, CY, US
SUBJECT: DAVIES TRIAL

1. IN VIEW OF RECENT DEVELOPMENTS IN THE DAVIES CASE, WE
DECIDED WE SHOULD TOUCH BASE WITH GOC AGAIN TO REITERATE
U.S. INTEREST IN BRING MURDERERS TO JUSTICE AND TO REMIND GOC
OF COMMITMENT TO ASSURE APPROPRIATE SENTENCES FOR GUILTY
PARTIES. ACCORDINGLY, DCM RAISED THE ISSUE IN THE COURSE OF
A JUNE 1 CONVERSATION ON SEVERAL OTHER SUBJECTS WITH FONMIN DIRGEN
PELAGHIAS. CONVERSATION WAS DISCOURAGING AND REFLECTED SOME
RETREAT FROM MAKARIOS' COMMITMENT GIVEN THROUGH
PELAGHIAS TO NIMETZ DURING CLARK CLIFFORD VISIT.

2. PELAGHIAS NOTED DEFENDENTS' EOKA-B FRIENDS HAD HURT
THE PROSECUTION BY STEALING THE DAVIES CASE FILE IN LATE 1974
AND REMOVING THE MURDER WEAPON FROM POLICE HEADQUARTERS. AS A
RESULT THE HARD EVIDENCE LINKING KTIMATIAS AND LEFTIS TO DAVIES
MURDER WAS LIMITED. IF WEAPON WERE STILL IN GOC
POSSESSSION, WE "COULD HANG KTIMATIAS" SAID PELAGHIAS.
HE ASKED RHETORICALLY, (BUT SIGNIFICANTLY, WE THINK) "WHAT
DIFFERENCE DOES IT MAKE IF SENTENCES ARE 4, 5 OR 10 YEARS?"

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THE MOST IMPORTANT POINT, HE SIAD, IS THAT THE TWO ACCUSED
CERTAINLY WILL BE FOUND GUILTY AND WILL RECEIVE SOME SENTENCES.

3. DCM NOTED OBSERVERS AT THE TRIAL HAVE TOLD US
THEY BELIEVE ACCUSED WILL NOT BE FOUND GUILTY OF HOMICIDE
BUT OF SOME LESSER CHARGE. DCM INDICATED THIS WOULD BE
DISAPPOINTING TO AMERICANS CONCERNED FOR JUSTICE IN THIS CASE.

PELAGHIAS REJOINED THAT GOC IS THE FIRST COUNTRY WHERE ANY ACCUSED IN THE CASE OF MURDER OF AN AMERICAN AMBASSADOR HAS BEEN BROUGHT TO TRIAL. HE FELT WE SHOULD BE PLEASED ABOUT THIS AND THAT ACTUAL SENTENCES ARE NOT SO IMPORTANT AS THE PRINCIPLE. PELAGHIAS POINTED OUT THAT THE WHOLE MATTER IS IN THE HANDS OF THE COURT. WHILE HE HAD BEEN ABLE TO ASSURE US THAT THE CASE WOULD BE BROUGHT TO TRIAL, HE COULD NOT DICTATE RESULT.

4. ACTION RECOMMENDED. BASED ON FOREGOING, WE RECOMMEND THAT NIMETZ TAKE EARLY OPPORTUNITY TO SPEAK TO AMBASSADOR DIMITRIOU ABOUT THE DAVIES CASE, REITERATING USG ATTENTION TO TRIAL AND INTEREST IN JUST OUTCOME WHICH REFLECTS ARCHBISHOP'S COMMITMENT THAT DAVIES MURDERERS WOULD BE CONVICTED AND RECEIVE APPROPRIATELY SERIOUS SENTENCES.
CRAWFORD

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